Vol. VII. Numb. 38

THE OBSERVATOR.

A Letter to the Observator, *complaining of the Militia-Officers of a certain County, who levy Trophy-Money contrary to Law; with Reflexions upon it. On the admitting of all the* Scotch *Priſoners to Bail, except a few. On the Miſrepreſentations of the* Scotch *Priſoners, and Sir* John Macclean, *and Mr.* Campbel *of* Glenderouil's *Vindication of themſelves, &c. againſt the Slander caſt upon them by the* Poſt-Boy.

From Wednesday, June 23. to Saturday, June 26. 1708.

Country-m. HEre's a Letter to you, Maſter, complaining, that the Militia-Officers of the County of *S* - - - are now raiſing nine hundred and ninety Pounds, or thereabouts, of the Inhabitants of that County, under the Name of Trophy-Money, contrary to Law.

Obſ. How does it appear to be contrary to Law, *Roger?*

Country-m. The Gentleman makes it out to be contrary to Law, thus, Maſter: By an Act in the 11th and 12th Years of the late King *William* the III. of glorious and happy Memory, entitl'd, *An Act for raiſing the Militia for the Year* 1700, altho' the Month's Pay formerly advanc'd, be not repay'd, the Clauſe of the 13th and 14th of King *Charles* the II. is recited, *viz.* 'And for furniſhing Ammu-'nition, and other Neceſſaries, the ſaid reſpective 'Lieutenants and Deputies, or any three, or more 'of them, ſhall have Power to lay fitting Rates up-'on the reſpective Counties and Places, not ex-'ceeding in the Whole, in any one Year, the Pro-'portion of a fourth Part of one Month's Aſſeſſ-'ment in each County, after the Rate of 70000 *l.* 'for the farther Supply of his Majeſty; which Mo-'neys are to be aſſeſs'd, collected, and pay'd, *&c.* And after the Recital of the ſaid Clauſe, it is farther enacted in the following Words: 'And where-'as the ſaid Proportion of a fourth Part of one 'Month's Aſſeſſment, hath uſually been rais'd, col-'lected, and pay'd in each County annually, for 'and in the Name of Trophy-Money; but the Ac-'compts of the Moneys ſo rais'd, collected, and 'pay'd, have not been tranſmitted according to the 'Directions of the ſaid Act. Be it therefore ena-'cted, *&c.* that the ſaid Lieutenants, or their De-'puties, ſhall not lay any farther Rate or Aſſeſſ-'ment for raiſing of ſuch Trophy-Money, 'till the 'Juſtices of the Peace, or the major Part of ſuch 'Juſtices, at their ſeveral and reſpective general 'Quarter Seſſions, for their reſpective Counties, 'Ridings, Diviſions, and Places, ſhall have exa-'min'd, ſtated, and allow'd the Accompts of the 'ſaid Money, ſo rais'd, levy'd, and collected, as 'aforeſaid, for three Years laſt paſt.

Obſ. Well, *Roger*, the Law is plain enough: But how does it appear, that theſe Militia-Officers act contrary to it?

Obſ. The Gentleman tells us that, Maſter, in the following Words: 'This Act was made to reſtrain 'the Officers of the Militia in this Kingdom from 'illegally levying of Money of the Subject, in or-'der to put the ſame into their own Pockets. But 'notwithſtanding this good Law, and tho' there 'have not been any Accompts examin'd or ſtated 'for many Years laſt paſt, for the County of *S*--, 'yet the Officers of the Militia for the ſaid County, 'are now raiſing of the Inhabitants, under the 'Name of Trophy-Money, to the Amount of nine 'hundred and ninety Pounds.

Obſ. If the Fact be ſo, *Roger*, 'tis a very illegal and oppreſſive Thing. The Nation groans to be deliver'd from Men of that Sort, almoſt in all the Offices of the Kingdom, where there are ſome who make very bold with the Laws. You know, *Roger*, how many Complaints we have receiv'd of Abuſes put upon the Subject, by Officers of the Cuſtoms, Exciſe, Army, and Fleet, and what Books have been printed on thoſe Heads, yet ſtill we find the Criminals are incorrigeable. The beſt Advice I can give thoſe who are aggriev'd, *Roger*, is, that they deal with their reſpective Members of Parliament, when the general Inqueſt of the Nation meets, to lay thoſe Things before them, that ſuch illegal Practices may be enquir'd into, and the Criminals puniſh'd according to the utmoſt Severity of the Law. But in the firſt Place, *Roger*, I would adviſe any of the Subjects, when thus abus'd, to refuſe Payment, and try if thoſe Officers dare venture to exact it. But there is ſuch a Spirit of Slavery among moſt People, that rather than be at a little Trouble and Expence to defend the Rights and Priviledges of themſelves and the Nation, they ſtupidly ſubmit; and thus both the People and the Government are abus'd.

Country-m. That's too true, Maſter. We ſeem to have loſt that Spirit of Liberty, for which our brave Anceſtors were remarkable and fam'd all over the World. There's nothing more common, than Complaints of ſuch Abuſes: But when I tell thoſe who inform me of them, that they ought to complain to the Government, or if they can't ſo conveniently do that, to charge their Parliament-men to enquire into thoſe Things; they generally anſwer, That if they do ſo, they ſhall diſoblige this or that Man in a Place or Poſt, and bring an *Odium* upon themſelves, as Enemies to the Government, and be call'd Malecontents, Grumbletonians, and I don't know what.

Obſ. That's a very great Symptom of a declining Nation, *Roger*, and it was a ſure Preſage of the Fall of the *Roman* State, as is obſerv'd by their Hiſtorians, when they could neither bear the Diſtemper, nor the Cure. But I hope, when our Parliament meets, they will appoint a Committee to enquire into the State of the Nation, and particularly into thoſe general Complaints of Corruption, Bribery, and Oppreſſion among People in Office, and eſpecially into ſuch a crying Grievance, as that of levying Money of the Subject contrary to Law. It has formerly dethron'd Kings, and I don't know why it ſhould not be puniſh'd in Subjects. But enough of this, *Roger*; tell me your News. What's become of thoſe Lords and Gentlemen, who were brought Priſoners from *Scotland?* I was in Hopes, ere this, we ſhould have had an ample Diſcovery of thoſe who encourag'd the Pretender to attempt the late Invaſion.

Country-m. The *Gazette* of the 21ſt Inſtant, tells us, Maſter, 'That the ſeveral Priſoners lately 'brought up from *Scotland*, having been examin'd, 'her Majeſty hath been graciouſly pleas'd to allow, '*That ſuch againſt whom there is no particular In-'formation, ſhould be admitted to Bail*; which 'hath been done accordingly; the others have been 'committed to Priſon; and her Majeſty hath gi-'ven Direction, that they ſhall be proſecuted ac-'cording to Law.

Obſ. We have Reaſon to bleſs God, *Roger*, that we

we are govern'd by ſo juſt a Soveraign. Her Majeſty was pleas'd to ſay, upon the firſt News of the Invaſion, to both Houſes of Parliament, *That the Affections of her Subjects had been miſrepreſented*; the Truth of which appears plain to a Demonſtration, from the univerſal Oppoſition made in *Scotland* to that Attempt, and the general Abhorrence they expreſs'd of it in their Addreſſes. Beſides, *Roger*, that Paragraph in the *Gazette*, is ſuch a Confirmation of it, as may ſerve to ſtop the Mouth of Calumny it ſelf, ſince, upon Examination by the Privy Council, there appears ſo few even of thoſe *Scotch* Lords and Gentlemen, to have had any particular Information againſt them. The Caſe being ſo, *Roger*, I doubt not, but ſuch of them as are innocent, and have had nothing in particular laid to their Charge, will find Juſtice from her Majeſty and the Parliament, againſt ſuch as, out of Party-Pique, or perſonal Quarrels, were the Occaſion of their being put to ſo much Diſgrace, Trouble, and Expence.

Country-m. I hope ſo too, Maſter; and doubt not, but our honeſt *South Britains* will heartily concur init, and take ſuch Meaſures, as may prevent Mens being taken up for the Humour of a Party or Faction, without a particular Charge againſt them, upon good Information; otherwiſe we know not where it may end.

Obſ. You ſay well, *Roger*; for at that Rate, the Nation may be kept in a perpetual Ferment, by the Accuſations of one Party againſt another, the loyaleſt of Subjects abus'd, the Hands of the Government weaken'd, and our Enemies Abroad encourag'd to renew their Attempts upon us, if by our own party Quarrels, and mutual Jealouſies, we give them Ground to believe, that the Government has ſo many Enemies in our own Boſom: Beſides, ſuch a Method of proceeding, is the readieſt Way in the World to increaſe the Number of thoſe who really are ſo.

Country-m. 'Tis a very ill Thing idneed, Maſter; and I find not only by Diſcourſe in publick Companies, but by an Advertiſement put into the *Flying-Poſt*, by Sir *John Macclean*, and Mr. *Campbel* of *Glenderouil*, that the *Scotch* Lords and Gentlemen do very much reſent their being ſo villanouſly aſpers'd, and particularly by the *Poſt-Boy*, of the 1ſt of *June*; wherein thoſe two Gentlemen were charg'd, as coming up to be Witneſſes againſt the Lords and Gentlemen, who were brought Priſoners from *Scotland*; whereas they declare ſolemnly, that they neither were, nor will be engag'd in any ſuch treaſonable Deſign themſelves, nor know not of any carry'd on by others, and think themſelves ſufficiently vindicated from thoſe calumnious Imputations, by their Behaviour before her Majeſty's Miniſters, and by their being admitted to Bail; and that they will purſue the Publiſher of that infamous Libel upon them, and require Juſtice of thoſe that were the clandeſtine Informers of the Perſon that made ſo bold with their Reputation, and that of the Lords and Gentlemen, againſt whom they were falſly ſaid to be Evidence.

Obſ. Thoſe Gentlemen have all the Reaſon in the World to do ſo, *Roger*; and I doubt not, but they will have Juſtice done them in our Courts at *Weſtminſter-Hall*, upon a legal Proſecution; for 'tis barbarous to the higheſt Degree, to ſtab the Reputation of ſo many People of Quality in a publick Print, and not to produce the Perſon or Perſons who gave the Information; for at that Rate, no Man's good Name can be ſafe. One would have thought, that thoſe concern'd in that Paper, ſhould have been a little more cautious, conſidering the Rebukes they have formerly had, and what juſt Provocation they gave to the Duke of *Hamilton*, by pointing him out upon a falſe and malicious Story from foreign News Papers, as if he had concerted the late Invaſion with the Chevalier *de Nangis* in *Scotland*.

Country-m. Theſe are intolletable Abuſes put upon the Nation, Maſter; I will ſpeak to my Repreſentatives, that when they come to Parliament, they may conſider of Ways and Means to extinguiſh thoſe party Feuds, and malicious Accuſations of one another; for 'tis no Wonder our common Enemy ſhould be encourag'd to invade us; and when Whigs accuſe Tories, and Tories accuſe Whigs, in Print, and charge one another in groſs, as Enemies to the Government, without diſtinguiſhing betwixt the Good and Bad of both Sides. We can't blame Foreigners, to think, that we are all Knaves together.

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